

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

**CRIMINAL CASE NO. 3:09cr82**

**UNITED STATES OF AMERICA,**

**vs.**

**SURRELL MONTIA DUFF.**

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**ORDER**

**THIS MATTER** is before the Court on the Remand of the United States Fourth Circuit Court of Appeals for re-sentencing. United States v. Duff, No. 10-4238, 2011 WL 4526003 (4th Cir. Sep. 30, 2011).

In the proceedings before this Court, the Defendant was represented by court-appointed counsel. The Defendant therefore qualifies for court-appointed counsel, and the Court will direct the Federal Defenders to provide counsel to the Defendant for re-sentencing.

**IT IS, THEREFORE, ORDERED** as follows:

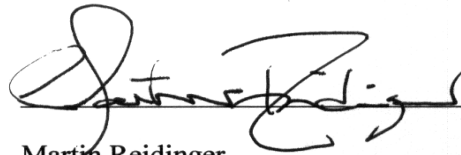
1. The United States Marshal shall have the Defendant present in Asheville, North Carolina for the March 2012 sentencing term;
2. The Clerk of court shall calendar this matter for that term; and

3. The Federal Defender shall provide counsel to the Defendant for re-sentencing.

The Clerk is directed to provide notification and/or copies of this Order to the United States Attorney, Counsel for the Defendant, the United States Marshals Service, and the United States Probation Office for the Western District of North Carolina.

**IT IS SO ORDERED.**

Signed: February 14, 2012

  
Martin Reidinger  
United States District Judge

